

**Town of Odessa**  
**MINUTES FROM THE REGULAR TOWN COUNCIL MEETING**  
**MONDAY, DECEMBER 3, 2007 - 7:00 PM**  
**OLD ACADEMY BUILDING**

Those present at 7:00 PM:

Mayor Kathy Harvey  
Council Member John Freeman  
Council Member Jeff Glueck  
Council Member Karlyn Grant  
Council Member Betts Jackson

Treasurer James Grant  
Secretary Jessica Norton

7 community members

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- I. Call to Order and Pledge of Allegiance- The meeting was called to order at 7:17 PM.
- II. Roll Call
- III. Delaware State Police Report- Captain Paige read the report, attached hereto as Attachment B. He also reported that there were 144 traffic tickets issued.
- IV. Approval of Minutes- Regular Meeting 11/5/07

**MOTION BY KARLYN GRANT, SECONDED BY BETTS JACKSON:  
THAT THE MINUTES FROM THE REGULAR MEETING OF  
MAYOR AND COUNCIL ON NOVEMBER 5, 2007 BE ACCEPTED.**

**MOTION CARRIED. VOTE: 5 AYE, 0 NAY**

- V. Second Reading: Ordinance 2007-1; An Ordinance to amend Zoning Ordinance 97-1 of the Town of Odessa to make provisions for a Planned Unit Development and Environmental Standards. Council agreed to amend the agenda in order to have Troy Mix, representative from U of D, present for second reading. After lengthy discussion, Council agreed to leave maximum lot occupancy at 8 lots per acre. As per discussion at the public hearing held at 6:00 on December 3, the following amendments shall be included:

**MOTION TO ADOPT ORDINANCE 2007-1 WITH AMENDMENTS 1-13 (ATTACHED HERETO AS ATTACHMENT C) AND  
ADDITIONAL AMENDMENTS AS FOLLOWS;**

**#7- ADD "PLUS SETBACKS"**

**CHANGE COMMERCIAL DISTRICT TO “RESTRICTED COMMERCIAL,” REQUIRING REVIEW FOR HISTORIC APPROPRIATENESS AND APPROVAL BY COUNCIL RESOLUTION.**

**VOICE VOTE: KARLYN GRANT, JEFF GLUECK, BETTS JACKSON, JOHN FREEMAN, KATHY HARVEY- ALL AYE**

*Action: Jessica Norton will send “Restricted Commercial” wording from Ordinance 2006-5 to Troy Mix.*

- VI. Correspondence
  - A. Cliff Hearn
  - B. Audit
  - C. Memo from Planning Commission
- VII. Treasurer’s Report- Audit: Treasurer Grant read the Balance Sheet and Profit and Loss Comparison, attached respectively as Attachments E and F. Mayor Harvey questioned the expense for check depositing. Council member Glueck thought that \$50 per month is excessive for an equipment charge and suggested asking to have the fee waived or switch banks. He also recommended going to a lock box system. Councilmember Freeman asked about a miscellaneous \$80 expense. Council tabled treasurer’s report until Treasurer Grant could locate additional information.
- VIII. Commission Reports
  - A. Planning- Correspondence in form of memo
  - B. Historic- design guidelines and color palettes
  - C. Trees- planting and trimming under grant
- IX. Treasurer’s Report- \$80 entry was a building permit that was mis-categorized and now corrected. Kathy Harvey suggested notifying PNC that the Town will cease check machine charges and return the machine. Council member Jackson added that the machine does not work. Glueck says that if PNC doesn’t return money, the Town should look at other banks.

**MOTION BY BETTS JACKSON, SECONDED BY JEFF GLUECK: THAT TREASURER GRANT RETURN THE CHECK MACHINE TO PNC BANK AND REQUEST REIMBURSEMENT OF THE \$250 IN MONTHLY FEES INCURRED.**

**MOTION CARRIED. VOTE: 5 AYE, 0 NAY**

*Action: Jim Grant will return the machine and ask for monthly fees back.*

Mayor Harvey went over the audit and recommendations, attached hereto as Attachment G. She would like clarification on the recommended payroll

service.

***Action: Mayor Harvey will call auditor to ask about recommendations.***

X. Old Business

A. Diemler Street Transfer Legal Costs- The Town sent a letter and called Mr. Hearn to remind him that we are still awaiting a response.

B. Trees Commission Appointment

**MOTION BY JEFF GLUECK, SECONDED BY KARLYN GRANT:  
TO APPOINT SCOTT DAVIS TO THE TREES COMMISSION.**

**MOTION CARRIED. VOTE: 5 AYE, 0 NAY**

C. Speed Bumps- After meeting with a representative from DelDOT, Jeff Glueck addressed Council and described moveable hard rubber speed humps that can be installed in cold weather. He requested a proposal for three of them, which would be staggered to allow for easier passage of emergency vehicles. These would be part of a pilot program. The Town would have to pay for the speed humps and a contractor would do the initial installation; they could be moved by the Town, though a contractor is recommended. Poles or trees could be used to mark the sides to prevent motorists from driving in yards to avoid the speed humps.

D. Historic Commission Appointment- awaiting amendments to Zoning Ordinance

E. Snow Removal- Mayor Harvey clarified last month's comment "not to do this again." She apologized to Sleepy Hollow and stated that she meant that the Town would have to be more cautious in authorizing salting and plowing services. Sleepy Hollow's is the only proposal on the table. Once exposed, no other bid can be presented. Money for plowing comes from MSA money, but real estate transfer money can be used if snowfall exceeds the budget. Mayor Harvey will be the contact for the Town, authorizing plowing and salting as needed. Mechanic, Leahy, and Diemler Streets are not contracted streets, though they have been plowed in the past by the Town. Jessica Norton asked if the office could remind DelDot to plow Mechanic Street.

**MOTION BY JOHN FREEMAN, SECONDED BY BETTS  
JACKSON: TO ACCEPT THE BID FROM SLEEPY HOLLOW.**

**MOTION CARRIED. VOTE: 5 AYE, 0 NAY**

F. Amend Budget- Computer- Jim Grant suggested disregarding proposal since he will not be using the check machine. Mayor Harvey talked to Townsend and they offered the name of an expert who does not sell

hardware or programs, who can analyze Odessa's computers and computer needs.

***Action: Mayor Harvey will call the expert and ask for a price.***

Mayor Harvey reported that according to Cliff Hearn, it is unlikely that the Town will receive any money back from Capital Software, as the company had no knowledge that the signature was unauthorized and as the software was opened.

G. Street Lights- the light was installed today on Main Street. Cost will be \$11.50 per month.

H. Atlantic Broadband Franchise Agreement- See correspondence from Cliff Hearn. Council gave Mayor Harvey permission to hold an informal meeting with Atlantic Broadband. The current agreement does not expire until 2010.

XI. New Business- none

XII. Next Meeting's Date and Time: February 4, 2007, 7:00 PM. Council member Glueck suggested holding a special meeting in January if speed bump proposals come in.

XIII. Adjournment

All commissions will need to submit budget requests.

Preparations for election will begin in January.

**MOTION BY BETTS JACKSON, SECONDED BY KARLYN GRANT:  
THAT THE MEETING BE ADJOURNED.**

**MOTION CARRIED. VOTE: 4 AYE, 0 NAY**

The meeting adjourned at 9:00 PM.

Minutes Approved: \_\_\_\_\_